

Panaji, 21st April, 2011 (Vaisakha 1, 1933)

SERIES II No. 3

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 2 dated 15-04-2011 namely: Extraordinary dated 20-04-2011 from pages 49 to 50 regarding Notification from Goa Legislature Secretariat.

GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Order

No. 2/14/95-AGR (Part)/93

Read: Order No. 2/14/95-AGR (Part)/34 dated 26-02-2009.

Government is pleased to extend the deputation period of Shri Chandrahas Dessai, Agriculture Officer, against the post of Soil Survey In-charge at Command Area Development Authority, Water Resources Department, Gogal-Margao, for a further period of one year (third year) with effect from 26-02-2011 to 25-02-2012.

The deputation of Shri Chandrahas Dessai, shall be governed by standard terms of deputation as contained in the O.M. No. 13/4/74-PER dated 12-02-1999 and amended from time to time.

This issues with the concurrence of the Government.

By order and in the name of the Governor of Goa.

S. S. P. Tendulkar, Director of Agriculture & ex officio Joint Secretary.

Tonca, Caranzalem, 15th April, 2011.

Department of Co-operation

Office of the Asstt. Registrar of Co-operative Societies

Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-op. Societies Act, 2001, Hira Residency Co-op. Housing Society Ltd., S-1, Hira Residency, Sanjaynagar, Alto-Porvorim, Bardez-Goa has been registered under code symbol No. HSG-(b)-318/NZ/Goa.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 18th March, 2011.

Certificate of Registration

Hira Residency Co-op. Housing Society Ltd., S-1, Hira Residency, Sanjaynagar, Alto-Porvorim, Bardez-Goa has been registered on 18-3-2011 and it bears registration code symbol No. HSG-(b)-318/NZ/Goa. It is classified as "Housing Society" in terms of Rule 8(1)(7) and sub-classified as "Co-partnership Housing Society" under sub-rule 7 (b) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 18th March, 2011.

Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-op. Societies Act, 2001, Shanta Co-op. Housing Maintenance Society Ltd., Porvorim, Bardez-Goa has been registered under code symbol No. GEN-19/NZ/Goa.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 24th March, 2011.

Certificate of Registration

Shanta Co-op. Housing Maintenance Society Ltd., Porvorim, Bardez-Goa has been registered on 24-03-2011 and it bears registration code symbol No. GEN-19/NZ/Goa. It is classified as "Housing Maintenance Society" in terms of Rule 8(1)(7) and sub-classified as "Co-operative Housing Maintenance Society" under sub-rule 7 (d) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 24th March, 2011.

Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-op. Societies Act, 2001, Barazaneshwar Self Help Group Co-op. Society Ltd., Barazan Nagar, Bicholim-Goa has been registered under code symbol No. GEN-(c)-5/SHG/NZ/Goa.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 31st March, 2011.

Certificate of Registration

Barazaneshwar Self Help Group Co-op. Society Ltd., Barazan Nagar, Bicholim-Goa has been registered on 31-03-2011 and it bears registration code symbol No. GEN-(c)/5/SHG/NZ/Goa. It is classified as "General Society" in terms of Rule 8(1)(12) and sub-classified as "Other Society" under sub-rule 12 (c) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 31st March, 2011.

Notification

No. RES-(c)-6/NZ/Goa

Read: 1) This Office Notification No. RES-(c)-6/NZ//Goa dated 22-11-2010 registering the Gomantak Liberal Multipurpose Co-op. Credit Society Ltd., Mapusa, Bardez-Goa.

2) The Office Memo No. RES-(c)-6/NZ/Goa dated 16-03-2011 registering the amendment to bye-laws No. 1, 4(f)(g) changing its name as "Gomantak Multipurpose Co-op. Credit Society Ltd., Mapusa, Bardez-Goa.

3) Letter dated 4-1-2011 received from the Chief Promoter Gomantak Liberal

Multipurpose Co-op. Credit Society Ltd., Mapusa, Bardez-Goa submitting the proposal for amendment of the bye-laws.

In exercise of the powers vested in me under Section 13 of the Goa Co-op. Societies Act, 2001 and Rule 12 of the Co-op. Societies Rules, 2003, the original registration of Gomantak Liberal Multipurpose Co-op. Credit Society Ltd., Mapusa, Bardez-Goa is hereby amended and the amended certificate is as under.

Certificate of Registration

The Gomantak Multipurpose Co-op. Credit Society Ltd., Mapusa, Bardez-Goa is registered on 22-11-2010 and it bears registration No. RES-(c)-6/NZ/Goa it is classified as "Resource Society" in terms of Rule 8(1)(10) and sub-classified as "Service Resource Society" under Rule 10(c) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 16th March, 2011.

Notification

No. ARCS/CZ/HSG/772/ADM/11

In exercise of the powers vested in me under Section 8(1) of the Goa Co-operative Societies Act, 2001, the Imperial Arcade Co-op. Housing Society Ltd., Agacaim, Tiswadi-Goa has been registered under code symbol No. ARCS/CZ/HSG/693/7(b)/Goa.

Sd/- (A. S. Mahatme), Asstt. Registrar of Co-op. Societies (Central Zone).

Panaji, 24th March, 2011.

Certificate of Registration

The Imperial Arcade Co-op. Housing Society Ltd., Agacaim, Tiswadi-Goa is registered on 24-03-2011 and it bears registration No. ARCS/CZ/HSG/693/7(b)/Goa and it is classified as "Housing Society", under sub-classified No. 7(b), as "Co-partnership Housing Society," in terms of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (A. S. Mahatme), Asstt. Registrar of Co-op. Societies (Central Zone).

Panaji, 24th March, 2011.

Department of Forest

Office of the Addl. Principal Chief Conservator
of Forests

Order

No. 9-21(GEN)-05/FD/2011-12/144

In pursuance to the provisions of clause 5 of the Right to Information Act, 2005, the following Forest Officers, by post are hereby appointed for the office of the Dy. Conservator of Forests, WL&ET Division, South Goa, Margao to deal with the applications received from the Public under Right to Information Act, 2005 for seeking information pertaining to their jurisdiction as under:

Sr. No.	Designation & place	Appointment as
1.	Dy. Conservator of Forests, Wildlife & Eco-Tourism, South Goa Division, Margao-Goa	Public Information Officer.
2.	Asstt. Conservator of Forests, Wildlife & Eco-Tourism, South Goa Division, Margao-Goa	Asstt. Public Information Officer.

The Public Information Officer shall be responsible for the preparation and publication of the manuals and updating the same from time to time as per the said Act.

The Asstt. Public Information Officer shall ensure that the applications received by him for information under the Right to Information Act, 2005 are submitted, on top priority to the Public Information Officer, so as to furnish the information to the applicant within the stipulated time limit as provided in the Act.

By order and in the name of the Governor
of Goa.

Dr. *Shasni Kumar*, Addl. Principal Chief
Conservator of Forests & the Public Authority.

Panaji, 8th April, 2011.

Department of Labour**Notification**

No. 28/1/2011-LAB

The following award passed by the Industrial Tribunal-cum-Labour Court-I, at Panaji-Goa on 23-02-2011 in reference No. IT/26/07 is hereby published as required by Section 17 of the

Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor
of Goa.

Vasanti H. Parvatkar, Under Secretary (Labour).

Porvorim, 8th April, 2011.

IN THE INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I AT PANAJI

(Before Smt. Anuja Prabhudessai,
Hon. Presiding Officer)

Ref. No. IT/26/07

Shri Anand Dessai,
Behind Datta Temple,
Dattawadi,
Sanquelim-Goa.

... Workman/Party I

V/s

M/s. Automobile Corporation
of Goa Ltd., Honda,
Satari-Goa.

... Employer/Party II

Party I/Workman is represented by Adv. K. V.
Nadkarni.

Party II/Employer is represented by Adv. M. S.
Bandodkar.

AWARD

(Passed on this 23rd day of February, 2011)

By order dated 14-5-2007 the Government of
Goa has referred the following dispute for
adjudication.

“(1) Whether the action of M/s. Automobile
Corporation of Goa Limited, Honda,
Satari, Goa in terminating the services of
Shri Anand Dessai, Operator, with effect
from 09-03-2000, is legal and justified?

(2) If not, to what relief the Workman is
entitled?”

2. On receipt of the reference, IT/26/07 was
registered. Notices were issued to both parties,
pursuant to which the Party I has filed his claim
statement at Exb. “6” and Party II has filed its
written statement at Exb. “8”. The rejoinder of
Party I is at Exbt “11”.

3. The Party I was employed with Party II as an
operator since February, 1986. The Party I was
issued charge-sheet for absenteeism, which was
considered to be as grave misconduct. The Inquiry
Officer submitted his findings wherein he has
concluded that the charges levelled against

Party I have been proved. The Party I was issued show cause notice and after considering his reply the Party I was dismissed from the services vide dismissal letter dated 09-03-2002.

4. The Party I has stated that the job of the operator is very tough and the work conditions are not conducive, as a result several employees are suffering various occupational diseases and other health problems. The Party I has stated that from the year 1998 onwards the Party II has started taking measures to reduce employees strength. One such measure was to dismiss those employees facing occupational disease and having attendance problem, by holding departmental enquiry against them for alleged absenteeism.

5. The Party I has stated that he is also a victim of occupational health hazard which resulted in his absenteeism. The management treated this genuine ground of absenteeism as grave and serious misconduct and issued charge-sheet and on receipt of the report from the inquiry officer dismissed him on the ground of absenteeism.

6. The Party I has stated that the charge-sheet as well as domestic enquiry held against him is illegal, that the domestic enquiry was not fair and proper and that charges of misconduct have not been proved. The Party I therefore claims that termination order is illegal and unjustified and that he is entitled for reinstatement with back wages and continuity in service.

7. The Party II has stated that the pursuant to the reference made by the Government regarding the dismissal of Party I from services w.e.f. 1-3-2000 IT 28/01 was registered. The Party I had not contested the said proceedings and by award dated 21-10-2001, passed in the said reference, the dismissal of the Party I was held to be legal and justified. The Party II has stated that the dispute which is the subject matter of the present reference has already been decided and that the reference attracts Provisions of Resjudicata.

8. The Party II has further stated that the Party I had conducted serious act of misconduct. He was issued charge-sheet and domestic enquiry was conducted wherein he was given reasonable opportunity to defend himself. The Party II has stated that the charge levelled against the Party I is by held to be proved. The finding of the inquiry officer are based on material on record and that the Party I is not entitled for any relief.

9. Based on the aforesaid pleadings the following issues were framed:

1. Whether the Party I proves that the domestic enquiry held against him is not fair and proper?
2. Whether charges of misconduct levelled against the Party I are proved to the satisfaction of the Tribunal by acceptable evidence?
3. Whether the Party I proves that termination of his service is illegal and unjustified?
4. Whether the Party II proves that the award in IT 28/2001 operates as resjudicata to the present reference?

10. By order dated 9th March, 2009, with consent of both parties, Shri Chonekar was appointed as a mediator. The mediator was instructed to hold meetings with both parties and to try to resolve the dispute amicably and submit his report. Accordingly, the mediator held meetings with parties and it was reported that the parties have settled the matter amicably. The parties have placed on record the consent terms which are on record at Exb. "18". The said consent terms are signed by both parties and their respective Advocates. The consent terms are agreeable to the parties and in my considered view the terms are in the interest of the Workman. Hence, the terms are taken on record and the consent award is passed as follows:

1. It is agreed between the parties that the management of M/s. Automobile Corporation of Goa Ltd. shall pay sum of ₹ 2,00,000/- (Rupees two lakhs only) to Anand Desai by cheque No. 433495 dated 29-1-2011 drawn on HDFC Bank, Panaji Branch which shall include all the claims of Mr. Anand Desai arising out of present reference and his employment and termination. The above amount shall include all his claims including any claim of earned wages, bonus, leave encashment, gratuity etc. or any other claim which can be computed in terms of money.
2. It is agreed that Shri Anand Desai shall accept the said amount mentioned in the clause (1) in full and final settlement of all his claims arising out of present reference and in complete satisfaction of his employment and termination, including any claim of earned wages, bonus, leave encashment, gratuity ect. or any other claim which can be computed in terms of money and further confirm that he shall

have no claim of whatsoever nature against the company including any claim of reinstatement or re-employment.

Inform the Government accordingly.

Sd/-
(A. Prabhudessai),
Presiding Officer,
Industrial Tribunal-
cum-Labour Court-I.

Notification

No. 28/1/2011-LAB

The following award passed by the Industrial Tribunal-cum-Labour Court-I, at Panaji-Goa on 03-03-2011 in reference No. IT/25/09 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Vasanti H. Parvatkar, Under Secretary (Labour).
Porvorim, 8th April, 2011.

IN THE INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I AT PANAJI

(Before Smt. Anuja Prabhudessai,
Hon. Presiding Officer)

Ref. No. IT/25/09

Workmen,
Rep by Goa Trade & Commercial
Workers Union,
Velho Building,
Panaji-Goa. ... Workmen/Party I
V/s
M/s. Andrew Telecommunication
India P. Ltd.,
Pilerne, Bardez-Goa. ... Employer/Party II
Party I/Workmen not represented by any Advocate.
Party II/Employer is represented by Adv. P. Chawadiker.

AWARD

(Passed on this 3rd day of March, 2011)

By order dated 20-8-2009, the Government of Goa in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute for adjudication.

- “(1) Whether the action of the management of M/s. Andrew Telecommunication India Private Limited, Pilerne, Bardez-Goa, in refusing payment of bonus at the rate of 20% for the Accounting Year 2005-2006, to its Workmen represented by the Goa Trade and Commercial Workers Union (AITUC), Panaji, Goa is legal and justified?
- (2) If not, to what relief the Workmen are entitled?”

2. On receipt of the reference IT/25/09 was registered. Notices were duly served on both parties. The Party I was initially represented by Adv. Suhas Naik. On 25-11-2010 Adv. Naik filed an application stating that the Workmen have joined Goa Kamgar Karmachari Sena. Hence a fresh notice were issued to the Workmen through the said Union. The said notices were duly served on Goa Kamgar Karmachari Sena. It is seen that despite due service of notice the Party I has failed to remain present before the Tribunal. The Party I has not filed its claim statement despite ample opportunities given. Consequently, the Party I has failed to plead and prove that the action of the Management of M/s. Andrew Telecommunication India Private Limited, Pilerne, Bardez-Goa, in refusing payment of bonus at the rate of 20% for the Accounting Year 2005-2006, to its Workmen represented by the Goa Trade and Commercial Workers Union (AITUC), Panaji, Goa is illegal and unjustified.

3. Hence, I pass the following order.

ORDER

“The Party I has failed to plead and prove that the action of the Management of M/s. Andrew Telecommunication India Private Limited, Pilerne, Bardez-Goa, in refusing payment of bonus at the rate of 20% for the Accounting Year 2005-2006, to its Workmen represented by the Goa Trade and Commercial Workers Union (AITUC), Panaji, Goa is illegal and unjustified. Hence the Party I is not entitled for any relief.

Inform the Government accordingly.

Sd/-
(A. Prabhudessai),
Presiding Officer,
Industrial Tribunal-
cum-Labour Court-I.

Notification

No. 28/1/2011-LAB

The following award passed by the Labour Court-II, at Panaji-Goa on 10-01-2011 in reference No. IT/21/06 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Vasanti H. Parvatkar, Under Secretary (Labour).

Porvorim, 18th April, 2011.

THE LABOUR COURT-II,
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. Ref. IT/21/06

Shri Ashok Y. Palkar & 3 Ors,
Palem, Siridao,
Tiswadi-Goa. ... Workmen/Party I
V/s

Goa State Pollution Control Board,
Dempo Towers,
EDC Plaza,
Patto, Panaji-Goa. ... Employer/Party II

Party I/Workmen represented by Adv. D. P. Bhise.

Party II/Employer represented by Adv. J. Godinho.

Panaji, dated: 10-01-2011

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Goa by order dated 12-06-2006, bearing No. 28/07/2006-LAB/332 referred the following dispute for adjudication to the Labour Court-II of Goa.

“(1) Whether the action of the Goa State Pollution Control Board, Panaji in terminating, the services of their Workmen (1) Shri Ashok Y. Palkar, Office Assistant, w.e.f. 1-12-2002 (2) Shri Eknath Shirodkar, National Ambient Air Quality Monitoring, Operator w.e.f. 1-12-2002, (3) Shri Minguel Fernandes, National Ambient Air Quality Monitoring Operator, w.e.f. 1-12-2002 & (4) Shri Shankar Hadkonkar, Watchman, w.e.f. 1-9-2002, is legal and justified?

(2) If not to what relief the Workmen are entitled?”

2. On receipt of the reference a case was registered under No. IT/21/06 and registered A/D notice was issued to the parties. In pursuance to the said notice, the parties put in their appearance. The Workmen/Party I (for short 'Workmen'), filed their statement of claim on 13-07-2007 at Exhibit-5. The facts of the case in brief as pleaded by the Workmen are that they were employed in the services of the Employer/Party II (for short "Employer"). They stated that the Employer is a state run establishment dealing with matters on pollution which is in the form of expert body to decide on the pollution factor, etc. They stated that no letter of appointment was issued to them, but ever since their services were engaged, the Employer provided a Muster Roll to sign regularly and the salary was paid on monthly basis of Acquaintance Roll. They stated that the Workman Shri Ashok Palkar was appointed as an "Office-Assistant" on 18-11-97 and was paid consolidated salary of Rs. 2,500/- per month. They stated that the Workmen, Shri Eknath Shirodkar and Shri Minguel Fernandes were appointed as "NAAQM Operator" on 01-06-98 and 01-10-98 respectively on a consolidated salary of Rs. 3,000/- each per month. They stated that the Workman, Shri Shankar Hadkonkar was appointed as a "Watchman" on 24-09-98 on a consolidated salary of Rs. 2,500/- per month. They stated that subsequently their consolidated salary as stated above was increased by Rs. 500/- per month. They stated that besides the monthly consolidated salary as stated hereinabove, the Workmen, Shri Eknath Shirodkar and Shri Minguel Fernandes were also paid travelling allowance. They stated that they have rendered more than 5 years of service with the Employer Board. They stated that they were last paid their salary in the month of November, 2002, except the Workman, Shri Shankar Hadkonkar was paid his last salary in the month of August, 2002. They stated that their services were discontinued without issuing any show cause notice and any order of termination or discharge from service as otherwise expected from the Model Employer. They stated that they were representing orally before the Employer everyday, however no work was allotted to them. They stated that non-allotment of work for considerable long time, they suspected that their service appears to be discontinued. They stated that they had filed a Writ Petition before the Hon'ble High Court so as to get immediate justice, however the said Writ Petition came to be dismissed at the admission stage without any

observation. They stated that they therefore raised the dispute before the Labour Commissioner on 07-04-03, which ended in failure. They contended that the Employer after discontinuing their services and after exhausting some time, recruited new staff for performing the same work which they were employed. They submitted that the Employer Board had work of regular nature. They contended that the termination of their services is bad in law as no notice of whatsoever nature was given to them in spite of the fact that they have rendered more than 240 days of services. They contended that no proper procedure established by law was followed before termination of their services. The Workmen therefore prayed for reinstatement in services with full back wages.

3. The Employer controverted the claim of the Workmen by filing its written statement on 12-11-07 at Exhibit-9. The Employer by way of preliminary objection submitted that the alleged dispute raised by the alleged Workmen is not an "Industrial dispute" and as such not maintainable in law as well as in facts in as much as there is no relationship as Workmen and Employer. The Employer submitted that the Government is a necessary and proper party to the present reference as the alleged claim made by the Workmen depends upon the decision of the Government. The Employer stated that it is neither an "industry" nor an "industrial establishment" or "undertaking". The Employer submitted that the Party I is nor the Workmen. The Employer submitted that the present reference is liable to be dismissed since the Party I in Writ Petition No. 38/2003 filed before the Hon'ble High Court wherein the same relief had prayed, have been dismissed after hearing the Ld. Adv. for the Party I and therefore the present reference is barred by the principles of Res-Judicata.

4. The Employer stated that the Workmen were engaged as daily wage workers. The Employer stated that it has not entered into any contract with the Workmen. The Employer stated that neither any agreement was signed between them nor any Appointment Order was issued to them as they were just "ROKDA WORKERS". The Employer stated that the Workmen were required to sign the Muster Roll to verify their presence in their office and if at all, the workers did not report for work, no wages were paid to them. The Employer submitted that merely because the Party I were signing the Muster Roll and their duty timings were that of Government employees with Saturday and

Sunday off, does not make them regular employees. The Employer stated that somewhere in 1997-98 the Hon'ble High Court directed that an ambient air quality be monitored through the Employer Board and therefore in view of the direction given by the Hon'ble High Court, the Workmen were appointed as daily workers and they were paid by Zuari Industries Ltd. The Employer stated that in the year 2002, a Government approved firm Terra Farma was engaged by them to monitor the Ambient Air at Zuari Industries Ltd., and for monitoring the Ambient Air, Zuari Industries Ltd., was paid as per the consent of the Employer Board. The Employer stated that the Workmen had no qualification for appointing as Operators. The Employer stated that their office is located at Dempo Towers, Patto, Panaji-Goa and a Watchman is engaged by the Society of the Dempo Towers and as such engaging a Watchman does not arise. The Employer denied the overall case of the Workmen and prayed for dismissal of the present claim filed by them.

5. Thereafter the Workmen filed their rejoinder on 19-03-08 at Exhibit-13 to the written statement filed by the Employer. The Workmen by way of their rejoinder reiterates that there exists an industrial dispute as defined under the I. D. Act, 1947. They stated that if the Government is a necessary party than it could be added, however it is required to note that Government has made a reference being appropriate. They stated that the Employer Board is constituted by Government and vested with independent powers. They stated that the Appointing Authority under the Employer Board is Member-Secretary. They stated that the Duty Roaster for Workmen was prepared by the Member-Secretary, therefore it is evident that the Workmen were regularly deployed on such monthly schedule. They stated that in the year 2001, whilst in service, Shri Ashok Palkar, "Office Assistant" even ordered to go for one day training programme on Internet and E-mail.

6. Based on the pleadings filed by the respective parties, this Court framed the following issues on 17-06-2008 at Exhibit-14. The issue No. 1A was subsequently re-casted vide Order dated 18-11-2008 passed on the application dated 12-09-2008 at Exhibit-18 filed by the Employer.

1. Whether the Party I/Workmen proves that they are "Workmen" as defined u/s 2(s) of the Industrial Disputes Act, 1947?

1A. Whether the Party II/Employer proves that the Party II is not an "industry" as defined under the Industrial Disputes Act, 1947?

2. Whether the Party No. I/Workmen proves that they were working with the Party II/Employer since more than 5 years continuously without any break in services till their termination of services w.e.f. 1-12-2002?
3. Whether the Party No. I/Workmen proves that the termination of their services w.e.f. 1-12-2002 by the Party II/Employer are illegal, unjustified and bad in law?
4. Whether the Party II/Employer proves that the present reference is bad in law?
5. Whether the Party I/Workmen proves that they are entitled for any relief?
6. What Award?
7. My answers to the aforesaid issues are as under:

1. Issue No. 1: In the Negative.
2. Issue No. 1A: In the Affirmative.
3. Issue No. 2: Does not arise.
4. Issue No. 3: Does not arise.
5. Issue No. 4: In the Negative.
6. Issue No. 5: In the Negative.
7. Issue No. 6: As per the final Order.

8. This Court vide its findings on preliminary issue No. 4 has answered the said issue in the negative by holding that the adjudication of the present order of reference issued by the Government of Goa does not operate as res-judicata.

REASONS

9. *Issue No. 1A*: I am deciding the Issue No. 1-A first prior to the Issue No. 1 as it touches upon the very root jurisdiction of this Hon'ble Court to adjudicate the present Order of Reference.

It is the Employer Board who contends that it is not an "industry" as defined u/s 2(j) of the I. D. Act. The onus to prove the same is therefore on the Employer Board.

I have carefully perused the entire records of the present case including the synopsis of written arguments filed by Ld. advocates for the respective parties. I have also carefully considered the various written legal submissions made by the respective parties in their synopsis of written arguments.

10. The Employer Board in order to prove that it is not an "industry" as defined u/s 2(j) of the I. D. Act, has examined its Member-Secretary, Shri Srinet Kothwale. The said witness of the Employer Board in his oral evidence on record stated that

the activities carried out by the Employer Board are not in the nature of involving any production or within the definition of industry. He stated that the Employer Board is not involved in any commercial activity. He also stated that the Employer Board is carrying out its statutory functions for the prevention and control of Air and Water Pollution as laid down under the Air (Prevention and Control of Pollution) Act, 1981, the Water (Prevention and Control of Pollution) Act, 1974, etc. The aforesaid statement of the Employer's witness has not been denied by the Ld. Adv. for the Party I in his entire cross-examination nor was any record produced to prove the contrary. Hence, it is proved that the Employer Board is not involved in any commercial activity, but carrying out its statutory function for the prevention and control of Air and Water Pollution as laid under the Air (Prevention and Control of Pollution) Act, 1981, the Water (Prevention and Control of Pollution) Act, 1974, and that the Employer Board is not carrying out any activities involved in the production and distribution of goods and services calculated to satisfy human wants and wishes (not spiritual and religious).

11. The term "Industry" has been defined u/s 2(j) of the I. D. Act, 1947 and it means "any systematic activity carried on by co-operation between an employer and his Workmen (whether such Workmen are employed by such employer directly or by or through any agency, including a contractor) for the production, supply or distribution of goods or services with a view to satisfy human wants or wishes (not being wants or wishes which are merely spiritual or religious in nature), whether or not;—

- (i) Any capital has been invested for the purpose of carrying on such activity; or
- (ii) Such activity is carried on with a motive to make any gain or profit, and includes-
 - (a) Any activity of the Dock Labour Board established under Section 5-A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948);
 - (b) Any activity relating to the promotion of sales or business or both carried on by an establishment,
But does not include-
 - (1) Any agricultural operation except where such agricultural operation is carried on in an integrated manner with any other

activity (being any such activity as is referred to in the foregoing provisions of this clause) and such other activity is the predominant one.

Explanation.— For the purposes of this sub-clause, “agricultural operation” does not include any activity carried on in a plantation as defined in clause (f) of Section 2 of the Plantations Labour Act, 1951; or

- (2) hospitals or dispensaries; or
- (3) educational, scientific, research or training institutions; or
- (4) institutions owned or managed by organization wholly or substantially engaged in any charitable, social or philanthropic service; or
- (5) khadi or village industries; or
- (6) any activity of the Government relatable to the sovereign functions of the Government including all the activities carried on by the departments of the Central Government dealing with defence research, atomic energy and space;
- (7) any domestic service; or
- (8) any activity, being a profession practiced by an individual or body of individuals, if the, number of persons employed by an individual or body of individuals in relation to such profession is less than ten; or
- (9) any activity, being an activity carried on by co-operative society or club or any other like body of individuals, if the number of persons employed by the co-operative society, club or other like body of individuals in relation to such activity is less than ten.]”

12. In the case in hand, it is evident that the Goa State Pollution Control Board is a statutory body monitoring pollution levels in the environment. To discharge its obligations it employs several employees. The evidence on record also indicates that neither the Employer Board is not involved in production, supply or distribution of goods or services with a view to satisfy human wants or wishes nor involved in any commercial activities. It may be noted that the Goa State Pollution Control Board is a statutory body constituted under the Air (Prevention from pollution) Act, 1981. The said Act was passed by

Parliament to provide for the prevention, control and abatement of Air Pollution, for the establishment with a view to carry out the aforesaid purposes of Boards for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith. It may also be noted that the said Act was passed by the Union of India to implement the decisions taken at the United Nations Conference on the Human Environment held in Stockholm in June, 1972. It is therefore apparent that this legislation was passed by the Union Government in exercise of its exclusive power vested under Article 134 of the Constitution of India, under List-1, Entry Nos. 13 and 14 which relates to implementing international obligations incurred by the Government of India. Therefore the Employer Board cannot be said to be an “Industry” as defined u/s 2(j) of the I. D. Act. The Employer Board discharges on behalf of the Government Sovereign functions relating to control of pollution. Notice may please be taken of explanation (6) to Section 2(j) of the I. D. Act which excludes any activity of the Government relatable to the sovereign functions of the Government.

In the case of *Umashankar Jaiswal v/s Royal Auto Centre and anr.* reported in 1998 1 CLR 740 the Hon’ble High Court of Bombay resonating the view of the Hon’ble Supreme Court of India in the *Bangalore Water Supply v/s A. Rajappa and ors.* (AIR 1978 SC 548) held that “sovereign functions strictly understood alone qualify for exemption from the term “industry” as defined under the I. D. Act. The welfare activities or Economic adventure undertaken by Government as a statutory body would not qualify for exemption from the term “industry” as defined under the I.D. Act”. In the present case the activities of the Employer Board are neither welfare activities nor economic adventures. To the contrary the Employer Board is a statutory agent of the Government to discharge sovereign functions and international obligations incurred by the Government of India. Hence, it is held that the Employer Board is not an “Industry” as defined u/s 2(j) of 1947. The Issue No. 1A is therefore answered in affirmative.

13. Issue No. 1: The Employer Board, in the written statement filed in the present proceeding denied that the Party I are the Workmen as defined u/s 2(s) of the I. D. Act, 1947. The burden to prove the issue No. 1 is therefore on the Party I, who have raised the present dispute claiming certain relief.

While deciding the Issue No. 1A by me hereinabove it has been held by me that the Employer Board is not an "industry" within the meaning of Section 2 (j) of the I. D. Act, 1947 and therefore it cannot be said that the Party I is not a person employed in *any industry* to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward etc. It is therefore held that the Party I failed to prove that they are "Workmen" within the meaning of Section 2(s) of the I.D. Act, 1947. The issue No. 1 is therefore answered in the negative.

14. *Issue Nos. 2 and 3:* It is the contention of the Party I that they were working with the Employer Board since more than 5 years continuously without any break in service till their termination of services w.e.f. 01-12-2002 and that the termination of their services w.e.f. 01-12-2002 by the Employer Board is illegal, unjustified and bad in law. The said contention of the Party I has been denied by the Employer.

While deciding the Issue No. 1A by me hereinabove, it has been held that the Employer Board is not an "industry" within the meaning of Section 2 (j) of the I. D. Act, 1947 and therefore the question of deciding whether the Party I were working with the Employer Board since more than 5 years continuously without any break in service till their termination of services w.e.f. 01-12-2002 and that the termination of their services w.e.f. 01-12-2002 by the Employer Board is illegal, unjustified and bad in law, does not arise at all.

15. *Issue No. 5:* While deciding the Issue No. 1A hereinabove, it has been held by me that the Employer Board is not an "industry" within the meaning of Section 2(j) of the I. D. Act, 1947. Similarly, while deciding the issue No. 1 hereinabove, it has been held by me that the Party I are not the "Workmen" as defined u/s 2(s) of the I. D. Act, 1947. Therefore, any dispute or differences between the Employer Board and the Party I is not an "industrial dispute" within the meaning of Section 2(k) of the I. D. Act, 1947 and as such this Court has no jurisdiction to adjudicate the present order of reference issued by the Government of Goa and grant any relief to the Party I as claimed by them. The Party I are therefore not entitled to any relief as prayed by them. The Issue No. 5 is therefore answered in the negative.

In view of the above discussions, I proceed to pass the following Order:

ORDER

1. It is held that neither the Party I are the "Workmen" as defined u/s 2(s) of the I. D. Act, 1947 nor the Party II is an "industry" as defined u/s 2(j) of the I. D. Act, 1947.
2. It is further held that the dispute as to "Whether the action of the Goa State Pollution Control Board, Panaji in terminating the services of their Workmen (1) Shri Ashok Y. Palkar, Office Assistant, w.e.f. 1-12-02, (2) Shri Eknath Shirodkar, National Ambient Air Quality Monitoring Operator w.e.f. 1-12-02, (3) Shri Minguel Fernandes, National Ambient Air Quality Monitoring Operator, w.e.f. 1-12-02 & (4) Shri Shankar Hadkonkar, Watchman, w.e.f. 1-9-02 is legal and justified"? does not arise.
3. The Workmen Shri Ashok Y. Palkar, Office Assistant, Shri Eknath Shirodkar, National Ambient Air Quality Monitoring Operator, Shri Minguel Fernandes, National Ambient Air Quality Monitoring Operator and Shri Shankar Hadkonkar, Watchman, are not entitled to any relief.
4. No order as to cost.
5. Inform the Government accordingly.

Sd/-
(Suresh N. Narulkar),
Presiding Officer,
Labour Court-II.

State Directorate of Craftsmen Training

Order

No. 1/123/2011-SDCT/EST/SPD/3334

On the recommendation of Goa Pubic Service Commission vide its letter No. COM/1/5/28(1)/97/370 dated 4-3-2011, Government is pleased to appoint Kum. Sheetal Purushottam Desai on temporary basis to the post of Principal (Group "B" Gaztted) in the pay scale of ₹ 9,300-34,800+ Grade Pay ₹ 4,800/- with effect from the date she takes charge of the post.

Kum. Desai is posted at Honda Government Industrial Training Institute.

The appointment of Kum. Desai is made against the post created vide Order No. 23/38/80-ILD dated 4-8-80 and revived Order No. 21/9/81-ILD dated 8-9-81.

The above appointment is subject to the terms and conditions stipulated in this Office Memorandum No. 2/123/2011-SDCT/EST/SPD/2508 dated 23-3-2011 and further to the verification of character and antecedents from the prescribed authority.

Kum. Desai shall be on probation for a period of two years.

The salary of Kum. Desai shall be drawn from the Budget Head "2230"—Labour and Employment, 03—Training, 101—ITI, 04 ITI/ Centres (Non-plan), 01—Salaries.

By order and in the name of the Governor of Goa.

Aleixo F. da Costa, State Director of Craftsmen Training & ex officio Joint Secretary.

Panaji, 15th April, 2011.

Notification

No. 3/SDCT/TPO/IMC/BIC/3143

(Sub: Re-Constitution of Institute Managing Committee of ITI -Bicholim)

In pursuance of the guidelines issued by Government of India for constitution of Institute Managing Committee (IMC) for the ITIs vide D.O. No. DGET-21 (3)97-CPIU(VOL.IV) dated 25-01-2002 from Director General of Employment & Training and Joint Secretary, Government of India, Ministry of Labour, New Delhi, the Government is pleased to re-constitute the Institute Managing Committee of ITI, Bicholim from the date of issue of this Notification.

Constitution:

1. Shri Atul Pai Kane, ...
Chairman.
M/s. Power Engineering India
Pvt. Ltd., 58, Tuem Ind. Estate,
Tuem, Pernem-Goa
2. Shri Rajkumar Kamat, ... Member.
M/s. E. P. Industries, AG-14,
Campal Trade Centre,
Panaji-Goa. 403 001
3. Shri Jayant Kamat, ... Member.
M/s. Crystal Industries,
101-Ray Chambers, Dr. A. B.
Road, Panaji-Goa. 403 001

4. Shri Mohan Iyer, ... Member.
M/s. Advanced Composites
Pvt. Ltd., Bicholim Ind. Estate,
Bicholim-Goa
5. Shri M. D. Bichu, ... Member.
M/s. Pyro Electric Instruments,
Bicholim Ind. Estate,
Bicholim-Goa
6. Shri Anil Gole, ... Member.
M/s. Venus Ethoxyethers
Bicholim Ind. Estate,
Bicholim-Goa
7. Shri Prashant Deshpande, ... Member.
M/s. Smartlink Network
System Ltd.,
Verna Industrial Estate,
Verna-Goa
8. Shri D. P. Gaunekar, ... Member.
M/s. Diebold India Pvt. Ltd.,
Plot No. 45/46/47,
Tivim Ind. Estate,
Karaswada, Bardez-Goa
9. State Director or his ... Member.
representative,
State Directorate of
Craftsmen Training,
Shramashakti Bhavan,
Panaji-Goa
10. Principal, ... Member
Industrial Training Institute, Secretary.
Bicholim-Goa. Off. 2362315
11. Faculty Representative ... Member.
to be nominated by the
Principal, ITI-Bicholim
13. Students' Representative ... Member.
to be nominated by the
Principal, ITI-Bicholim

The terms of reference shall be as per attached Annexure also specifying therein indicators for monitoring the performance of the IMC.

The term of office of the IMC shall be three years from the date of issue of this notification or till the re-constitution of the IMC thereafter whichever is later. The members representing the industries may change by name and number depending upon necessity of the IMC from time to time under specific orders of the Government. Change in the official members, if any, shall be on the basis of the recommendations of the State Director of Craftsmen Training.

The IMC shall meet as frequently as required in any case at least once in three months.

The non-official members, who attend the meeting shall be paid a fixed honorarium of ₹ 400/- per meeting and no other TA/DA shall be payable.

By order and in the name of the Governor of Goa.

Aleixo F. Da Costa, State Director of Craftsmen Training and ex officio Joint Secretary.

Panaji, 12th April, 2011.

Annexure

Role and Responsibilities of the Institute Managing Committee (IMC)

1. Generation and Utilisation of Finance:

- a) The IMC would be free to generate funds through various projects from industry.
- b) *The IMC would encourage donors to donate funds to the institutes.*
- c) These funds would be available to the IMC for utilization as decided by them.

2. Donation of Machinery & Equipments:

The IMC would encourage donation of machinery & equipments to the institutes.

3. Selection of contract faculty:

The IMC will have powers for appointment of contract faculty as and when required.

4. Students Selection:

- a) Vocational guidance about the nature of course, job opportunities and career prospects would be provided to students prior to applying for admission in ITI so that they choose right courses.
- b) Introductory seminars for the fresh students (including visits to industry) may be conducted by industry to create interest and motivate them.
- c) The IMC may adopt various transparent methods of selection according to the individual needs of each institute. However, the guidelines prescribed by the NCVT should be violated.

5. Employment:

- a) The IMC will be responsible for helping students in registration. Before passing out

all ITI students will be registered with (i) local employment exchange (ii) Overseas employment cell (iii) Regional headquarters of *Industry Associations* (iv) Campus interviews with also be arranged.

- b) Trainees will be helped by the industry to go in for self-employment through acquisition of skills relating to interaction with FIs and basic trade and commerce facilities.
- c) *Tracing the ITI graduates for next three years after their passing out.*

6. Faculty and Staff Development:

- a) IMC will identify the training needs of all faculty and staff members based on Faculty Development Forms.
- b) Detailed annual and quarterly training calendars, budgets and release of personnel for training programmes will planned by IMC including exchange of personnel between industry and institute.

7. Mentors and One-Day Lecturers (Guest Lecturers):

IMC will nominate Mentors and One-Day Lecturers (Guest Lecturers) from industry for various trades. One-Day lecturers as specifically meant to deliver lecture or impart practical training in the ITI. A mentor is nominated for a student/group of students belonging to one trade. Mentor may just discuss/guide/counsel students in the ITI or outside as per mutual convenience. He can, however, also deliver lecture or impart practical training. Mentors are more like role model for students and therefore, should be a good experienced skilled worker. Mentors will play an important role in vocational guidance and career counselling as well as apprising students about latest technologies and trends in the World of Work. Mentorship system should have great flexibility in contact between students and mentor. The contact could even be over telephone.

8. Seminars workshops and exhibitions

IMC will organize Seminar, workshops and exhibitions for mutual benefits of trainees, faculty and industry.

9. Trade Advisory Committees (TAC):

IMC may constitute Trade Advisory Committee (TAC) for a group of trades or any other committee to assist in various functions.

TAC should help IMC in issues related to improvement in effectiveness and relevance of training for a particular trade group. TAC should have trade experts from Industry, concerned instructors, student representatives etc. The exact composition may be decided by the IMC.

10. Industrial Training:

- a) IMC will prepare guidelines for the industrial training with details of period of training including projects for students and faculty. Students of one trade may be released together for industrial training in order to avoid disruption of training in ITI.
- b) IMC will also decide about the stipend to be paid to each student and faculty by the industry providing training.

11. Curriculum Revamping:

- a) IMC will be allowed to revamp the curriculum of any trade above the NCVTs norms on the basis of industry needs.
- b) IMC will be allowed to include new trades and discontinue the obsolete trades by following simplified procedures to be decided by DGET.

12. Equipment Maintenance:

The maintenance and replacement of the equipment at the institute will be supervised by IMC.

13. Teaching Aids:

Teaching Aids like working models, slides, video projections, instruction material in vernacular languages, work books, detailed job assignments of the institute will be upgraded under the supervision of IMC.

14. MIS System:

Under guidance of the Steering Committee, the Managing Committee will introduce an MIS System for each ITI *Industry associations* will provide the necessary inputs for creating such MIS System.

15. Capital Expenditure:

- a) IMC will be involved in spelling out specifications for the procurement of equipment including accessories and measuring equipment. *The proposals for procurement of equipment will be cleared by IMC before orders are place.*

- b) *The proposals of Civil works (including additions/alterations in the existing building) will be cleared by IMC.*

16. Examination Supervision:

- a) Theoretical examinations will be jointly supervised by industry.
- b) Practical examination and evaluation will be supervised jointly by industry and external examiner.

17. Faculty Evaluation:

- a) Faculty evaluation will be done by the Steering Committee and their recommendations will carry weight and recognition.
- b) Faculty Development Form will be designed by IMC which will include criteria for gradation and development of faculty.

18. Transfer for Faculty:

IMC will be taken into confidence while transferring the faculty from one institute to another.

19. Faculty Deputation:

Deputation of the faculty from one institute to another will be made at the recommendations of IMC.

20. Consultancy Rules:

The rules for providing consultancy by the ITI will be laid down in consultation with the Managing Committee.

Indicators for monitoring the performance of IMC:

- 1) Employment rate within 6 months of completing the course.
- 2) Student output to sanctioned capacity.
 - a) Admission rate.
 - b) Retention rate.
 - c) Pass rate.
- 3) Internship/n-the-job training per student per year.
- 4) Average number of days of deputation of instructors in industry per year.
- 5) Revenue generated as percentage of operating expenses.
- 6) Donation of machinery and equipment to ITI by Industry.
- 7) Other co-operation between ITI and industry.
- 8) Time devoted by experts from industry in conducting classes or other activities in ITI.
- 9) Recommendations made by IMC and their implementation.

**Department of Panchayati Raj and
Community Development**

Directorate of Panchayats

Notification

No. 19/35/DP/BYE-ELN/PF/08/3175

In pursuance of sub-section (8) of Section 7 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), read with Rule 58 of the Goa Panchayat and Zilla Panchayats (Election Procedure) Rules, 1996, it is hereby notified for the information of the public that the person specified in column No. 3 of the Schedule appended hereto have been duly elected as member of the Panchayat mentioned in the corresponding entry in column No. 2 from the ward shown against the name in column No. 4 of the said Schedule in the bye-election held on 10-04-2011.

SCHEDULE

Sr. No.	Name of the Village Panchayat	Name and address of the elected member	Ward No.
1	2	3	4
1.	V. P. Ucassaim-Paliem-Punola, Bardez-Goa	Shri Vinod Ladu Karpe, H. No. E96 Punola, Pazir, Bardez-Goa	V
2.	V. P. Ona-Maulinguem-Curchirem, Bicholim-Goa	Smt. Radhiki Raghala Gaonkar, H. No. 393, Naigini, Curchirem Bicholim-Goa	VI Reserved for Women.
3.	V. P. Rivona, Sanguem-Goa	Smt. Vaishali Vaikunth Naik, H. No. 416/2, Pandarvada, Rivona-Goa	VI Reserved for OBC.
4.	V. P. Curtorim Salcete-Goa	Shri Caetano Custodio Hilerio, H. No. 598, Camarxete, Curtorim, Salcete-Goa	III Reserved for ST.
5.	V. P. Macasana, Salcete-Goa	Shri Francisco Augustinho D'Costa, H. No. 52/1, Cupator, Macasana, Salcete-Goa	IV
6.	V. P. St. Andre (Goa Velha), Tiswadi-Goa	Smt. Caetana Maria Vas E. Mendes, H. No. 511, Mascarenhas Waddo, Goa Velha, Tiswadi-Goa	VIII

By order and in the name of the Governor of Goa.

Menino D'Souza, Director of Panchayats & ex officio Joint Secretary.

Panaji, 13th April, 2011.

Department of Personnel

Order

No. 4/12/85-PER(Part-II)

Shri Satish S. P. Tendulkar, Director of Agriculture, shall hold charge of the post of Managing Director, Goa State Horticultural Corporation Ltd., Panaji in addition to his own duties, for a period of 30 days with immediate effect.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 6th April, 2011.

Order

No. 7/9/2009-PER

Read: Order No. 7/9/2009-PER dated 23-02-2011.

Consequent upon promotion to Senior Time Scale vide Order dated 23-02-2011 read above, Ms. Rakhi Nanda, IFS (AGMUT: 2007) Assistant Conservator of Forests, Panaji, shall hold change of the post of the Deputy Conservator of Forests, Social Forestry, with immediate effect.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary (Personnel-II).

Porvorim, 7th April, 2011.

Notification

No. 15/7/2003-PER

In accordance with the Recruitment Rules for the post of Mamlatdar/Joint Mamlatdar/Asstt. Director of Civil Supplies, notified vide Notification No. 1/25/87-PER dated 17-4-1996 published in the Official Gazette, Series I No. 9 dated 31-5-1996 and in accordance with sub-rule (2) of Rule 2 of the Goa Departmental Examination for the Officers in the Cadre of Mamlatdars/Joint Mamlatdars/Asstt. Director of Civil Supplies Rules, 1997, notified under Notification No. 15/50/87-PER-Part I dated 12-12-1997 and published in the Official Gazette, Series I No. 44 dated 29-1-1998,

the Schedule for the Departmental Examination shall be as under:

Date of Examination	Morning session 10 a.m. to 1.00 p.m.	Evening session 2.30 p.m. to 5.30 p.m.
17-05-2011	Paper (I)	Paper (II)
18-05-2011	Paper (III)	Paper (IV)
19-05-2011	Paper (V)	Paper (VI)

The syllabus for the said examination shall be in accordance to the Goa Departmental Examination for the Officers in the Cadre of Mamlatdar/Joint Mamlatdar/Asstt. Director of Civil Supplies (First Amendment) Rules, 2011 notified under Notification No. 15/7/2003-PER dated 17-02-2011 and published in the Official Gazette, Series I No. 49 dated 03-03-2011.

The Examination shall be held in the Pharmacy College, Panaji.

The following Officers in the above Cadre shall appear for the Examination on the above mentioned date and time. They may bring the text books of the Act and Rules prescribed for the examination.

1. Shri Vishal C. Kundaikar.
2. Kum. Roshell Aurita Fernandes.
3. Shri Pravin Hire Parab.
4. Shri Gurudas S. T. Desai.
5. Kum. Trupti Manikrao Rane.
6. Kum. Nathine Stevea Araujo.
7. Kum. Triveni Paik Velip.
8. Smt. Snehal Shivram Prabhu.
9. Shri Amul Shrikant Gaunker.
10. Shri Shankar Barkelo Gaonkar.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 8th April, 2011.

Department of Power

Office of the Chief Electrical Engineer

Order

No. CEE/Estt-31-25-88/Part-VIII/(A)/191

Government is pleased to continue the contractual re-employment of Shri R. D. Talegaon, as Superintending Engineer (Elec.) in the pay scale of PB—3 ₹ 15,600-39,100+GP ₹ 7,600/- in Electricity Department for a further period of one year from 25-04-2011 to 24-04-2012.

Shri R. D. Talegaon, shall draw emoluments in terms of C.C.S. (Fixation of re-employed Pensioners) Orders, 1986 and shall continue to function as Superintending Engineer of Elec. Circle-I(S), Margao, until further orders.

His present contractual re-employment is subject to execution of an agreement by him specifying the terms and conditions of his re-employment.

By order and in the name of the Governor of Goa.

Nirmal Braganza, Chief Electrical Engineer & ex officio Additional Secretary.

Panaji, 15th April, 2011.

Department of Public Health

Certificate

No. 4/14/2002-II/PHD/1923

Read: Government Order No. 4/14/2002-II/PHD dated 17-03-2011.

Certified that the character and antecedents of Dr. Pandarinath Manohar Audi, Lecturer, Department of Surgery in Goa Medical College and Hospital, Bambolim mentioned in the above referred order have been verified by the District Magistrate, South Goa District, Margao and nothing adverse has come to the notice of the Government.

B. S. Kudalkar, Under Secretary (Health).

Porvorim, 12th April, 2011.

Department of Revenue

Order

No. 22/19/2009-RD

Whereas, the Government of Goa, (hereinafter referred to as "the Government"), vide Notification No. 22/19/2009-RD dated 08-12-2009, issued under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) (hereinafter referred to as the "said Act") and published in the Official Gazette, Series II No. 38 dated 17-12-2009 and in daily local newspapers, namely, "Herald" dated 11-12-2009 and "Pudhari" dated 12-12-2009, notified that the land specified in the Schedule thereto and reproduced in the Schedule hereto is likely to be needed for public purpose, viz. Land acquisition on temporary basis for a period of 90 days at Pomburpa to divert the ferry service (hereinafter referred to as the "said land");

2. And whereas, the said Notification came to be issued inadvertently instead of issuing order under Section 35 of the Land Acquisition Act, 1894, since the said land is temporarily required for a period of 90 days only.

3. And whereas, it appears to the Government that the temporary occupation and use of land situated at Village Pomburpa in Bardez Taluka and more particularly described in the Schedule hereunder (hereinafter called the "said land"), is needed for public purpose namely for diverting the ferry service for a period of 90 days.

4. Now, therefore, Government appoints the Dy. Collector (LA), Collectorate of North Goa District, Panaji-Goa, under the Land Acquisition Act, 1894 and directs him under Section 35 of the Land Acquisition Act, 1894 (Central Act 1 of 1894), to procure the occupation and use of the said land for a period of 90 days from the commencement of such occupation.

5. This issues in supersession of the Government Notification No. 22/19/2009-RD dated 08-12-2009, issued under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) and published in the Official Gazette, Series II No. 38 dated 17-12-2009.

SCHEDULE

(Description of the said land)

Taluka: Bardez Village: Pomburpa

Survey No./ Sub-Div. No.	Name of the person believed to be interested	Approx. area in sq. mts.
1	2	3

2/12	Nascimento Almeida.	350
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Boundaries:

North: S. No. 2/10.

South: S. No. 2/13.

East : River.

West : S. No. 2/11.

Total: 350

By order and in the name of the Governor
of Goa.

Pandharinath N. Naik, Under Secretary
(Revenue-I).

Porvorim, 13th April, 2011.

Corrigendum

No. 22/37/2008-RD

Read: Agreement No. 22/27/2008-RD dated 07-03-2011, executed between the Government of Goa and Taught to Teach Music School in respect to the land acquisition for Taught to Teach Music School, situated at Mapusa, Bardez-Goa, published in the Official Gazette, Series II No. 51 dated 17-03-2011.

The above referred Agreement No. shall be read as "22/37/2008-RD" instead of "22/27/2008-RD".

The rest of the contents of above read Agreement shall remain unchanged.

By order and in the name of the Governor
of Goa.

Pandharinath N. Naik, Under Secretary (Rev-I).

Porvorim, 13th April, 2011.



Department of Women & Child Development

Directorate of Women & Child Development

Addendum

F. No. 1-229-2003/DWCD/1858

Read: 1. Order No. 6-65-80/L&WD(Part) dated 27-09-1980.
2. Order No. 1-1-2009/W&CD/Sectt Cell/547 dated 19-06-2009.
3. Order No. 1-1-2009/W&CD/Sectt Cell/11 dated 01-01-2010.

In the order dated 01-01-2010 referred at Sr. No. 3 above the following shall be added after the first para.

"Further the Government is pleased to downgrade the post of Programme Officer created vide Order dated 27-09-1980 in the pay scale of ₹ 9300-34,800 plus grade pay of ₹ 4,800/- in the Directorate of Women & Child Development".

By order and in the name of the Governor of
Goa.

Sanjiv M. Gadkar, Director & ex officio Joint
Secretary, (W&CD).

Panaji, 13th April, 2011.

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